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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,233	03/25/2005	Toshihiro Matsumoto	1035-575	2201
23117 7590 04/09/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
DUONG, THOI V				
ART UNIT		PAPER NUMBER		
2871				
MAIL DATE		DELIVERY MODE		
04/09/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/529,233

Applicant(s)

MATSUMOTO ET AL.

Examiner

Thoi V. Duong

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15 is/are pending in the application.
- 4a) Of the above claim(s) 9-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 3/25/05

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group IIB, claims 12-15, in the reply filed on December 20, 2007 is acknowledged.

Accordingly, claims 1-8 were cancelled, claims 9-11 are withdrawn as non-elected claims, and claims 12-15 are considered in this office action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-227606 (JP'606) in view of JP 2002-040426 (JP'426).

Re claims 12-15, as shown in Fig. 2, JP'606 discloses a 2D/3D switching type liquid crystal display panel B, comprising:

a display-use liquid crystal panel LD2 capable of performing 2D display and 3D display, the display-use liquid crystal panel generating a display image in accordance with image data inputted;

a parallax barrier R1 which attains a 3D effect by giving a certain viewing angle to the display image at a time of 3D display; and

a switching liquid crystal panel LD1 which switches between 2D display and 3D display by enabling or disabling an effect of the parallax barrier R1,

wherein the display-use liquid crystal panel LD2 is provided closer to a light source than the switching liquid crystal panel.

(See paragraphs 32-36 and 51-57, and also Figs. 9 and 11).

JP'606 also concerns about the influence of the heat to the liquid crystal display (paragraph 39); however, JP'606 does not disclose a liquid crystal layer in said one of (a) the display-use liquid crystal panel and (b) the switching liquid crystal panel having a transition point higher than that of a liquid crystal layer in the other.

As shown in Figs. 1 and 5, JP'426 discloses a liquid crystal display device comprising a driving cell 30 having liquid crystal 33 and a compensation cell 40 having liquid crystal 43, wherein the liquid crystal 33 has a transition point higher than that of the liquid crystal 43 (paragraphs 17-19 and 28-31).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal panel of JP'606 with the teaching of JP'426 by employing a liquid crystal layer in said one of (a) the display-use liquid crystal panel and (b) the switching liquid crystal panel having a transition point higher than that of a liquid crystal layer in the other in order to prevent the fall of the contrast ratio by a rise in heat without providing a temperature compensation circuit (see Abstract).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (571) 272-

Art Unit: 2871

2292. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms, can be reached at (571) 272-1787.

/Thoi V. Duong/ - Primary Examiner

April 06, 2008